

a.a.

Notice of Allowability

Application No.

09/675,928

Examiner

Kevin Y. Kim

Applicant(s)

HILDEBRAN ET AL.

Art Unit

2638

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to appeal brief filed on 10-03-2005.
2. ☒ The allowed claim(s) is/are 1-10,13,15-25,27,28 renumbered as 1-24.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

KEVIN KIM
PATENT EXAMINER

K. Kim 12/17/05

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Himanshu Amin on December 14, 2005.

The application has been amended as follows:

In the claims:

Claim 1.

On the last line, after "value" insert --by delaying activation at the module until the coordinated system time is an integer multiple of the activation interval --.

Claims 11 and 12.

Cancel claims 11 and 12.

Claim 13.

On the last line, after "value" insert --by delaying activation of the field side until the coordinated system time has a value that is an integer multiple of the activation interval --.

Claim 14.

Cancel claim 14.

Claim 18.

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On the last line, after “value” insert --by delaying activation at the module until the coordinated system time is an integer multiple of the activation interval --.

Claim 19.

On the last line, after “value” insert --by delaying activation at the module until the coordinated system time is an integer multiple of the activation interval --.

Claim 26.

Cancel claim 26.

End of Examiner’s amendment.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

REASONS FOR ALLOWANCE

1. Claims 1-10, 13, 15-25, 27 and 28 are allowed.
2. The following is an **examiner's statement of reasons for allowance**: Upon a careful review of the argument in the Appeal brief and the prior art references cited against the claims, it is concluded that a limitation recited in original claim 12 "the coordinated system time is an integer multiple of the activation interval" is neither found in the references nor obvious. Specifically, while the limitation requires the coordinated system time (CST) be an integer multiple of the activation interval for synchronizing the activation interval to CST, the reference (Husted et al) teaches that "the CST value is equal to the predetermined time T **plus** and [sic] integer multiple of a predetermined sampling period." (emphasis added) Since the reference requires an additional value ("the predetermined time T") to an integer multiple of the activation interval, the claimed invention requiring only an integer multiple of the activation interval is different and no other references have been found to render this difference obvious.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kevin Y. Kim whose telephone number is 571-272-3039. The examiner can normally be reached on 8AM --5PM M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Vanderpuye can be reached on 571-272-3078. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

KEVIN KIM
PATENT EXAMINER

K. Kim 12/13/05